

2004-35-38

A RESOLUTION

OF THE CITY OF SAN ANTONIO, TEXAS GRANTING CONSENT TO THE PROPOSED PROJECT AND ISSUANCE OF REVENUE BONDS, IN AN AMOUNT NOT TO EXCEED \$40,000,000.00, BY THE HEALTH FACILITIES DEVELOPMENT CORPORATION OF CENTRAL TEXAS, INC. TO FINANCE DEVELOPMENT OF A HEALTH FACILITY FOR FRANCISCAN COMMUNITIES VILLA DE SAN ANTONIO.

* * * * *

WHEREAS, the Health Facilities Development Act, Chapter 221, Texas Health and Safety Code, as amended (the "Act"), authorizes and empowers *HFDC OF Central Texas, Inc.* (the "Issuer") on behalf of the City of Hubbard, Texas (the "Issuing Unit"), to provide, expand, and improve health facilities through the issuance of revenue bonds found by the Board of Directors of the Issuer to be required, necessary or convenient for health care, research and education, any one or more, within the State of Texas and in furtherance of the public purposes of the Act; and

WHEREAS, Section 221.030(a)(1) of the Act provides that the Issuer may provide for the financing and refinancing of one or more such health facilities located outside the limits of the Issuing Unit with the consent of every city, county or hospital district within which such health facility is or is to be located; and

WHEREAS, Franciscan Communities Villa de San Antonio, an Illinois non-profit corporation ("Franciscan Communities"), an affiliate of Franciscan Sister of Chicago Service Corporation, an Illinois non-profit corporation, intends to acquire, construct, equip, own, and operate continuing care facilities (the "Facilities") located within the limits of the City of San Antonio, Texas (the "City") and outside the limits of the Issuing Unit as described on Exhibit A hereto (the "Project"); and

WHEREAS, the Project will be financed in part with proceeds of revenue bonds (the "Series 2004 Bonds") in an amount not to exceed \$40,000,000.00, to be issued by the Issuer on behalf of the Issuing Unit; and

WHEREAS, the Issuing Unit has adopted a resolution declaring its intention to issue the Series 2004 Bonds to provide all or a portion of the amounts necessary to finance the Project; and

WHEREAS, under the Act, the Issuer may finance the Project only with the consent of the City of San Antonio, the Bexar County Hospital District, and Bexar County; and

WHEREAS, the City has been requested to give its consent pursuant to the Act; and

WHEREAS, the Issuer has conducted a public hearing pursuant to section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), with respect to the Project and the Series 2004 Bonds, and a copy of the notice of such hearing and the minutes of such hearing are attached hereto as Exhibit B; and

WHEREAS, the action of Issuer with respect to the Project will create no liability for the City or its residents and is in the best interests of the City and its residents; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SAN ANTONIO, TEXAS THAT:

SECTION 1. APPROVING THE ISSUANCE OF THE SERIES 2004 BONDS. The City hereby grants consent to the proposed project and issuance of the Series 2004 Bonds, in an amount not to exceed \$40,000,000.00, by the Health Facilities Development Corporation of Central Texas, Inc. to finance the development of a continuing care health facility for Franciscan Communities Villa de San Antonio as required by Section 221.030(a)(1) of the Act and approves the financing as required by Section 147(f) of the Internal Revenue Code of 1986; provided that the City shall have no payment or other obligations nor any liability in connection with the issuance of the Series 2004 Bonds or the acquisition, construction, equipping, ownership or operation of the Facilities or the Project and shall not be required to take any further action with respect thereto.

SECTION 2. INCORPORATION OF RECITALS. The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall be effective immediately upon passage by at least eight affirmative votes; otherwise this Resolution shall become effective ten days following its passage.

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PASSED AND APPROVED, this the 30th day of September, 2004.



Leticia M. Lopez

City Clerk

CITY OF SAN ANTONIO, TEXAS

Al Berto

Mayor

APPROVED AS TO FORM:

Andrew Martin

City Attorney

Agenda Voting Results

Name: 34. 2004-35-38

Date: 09/30/04

Time: 06:50:34 PM

Vote Type: Multiple selection

Description: A Resolution of the City of San Antonio, Texas granting consent to the proposed project and issuance of Revenue Bonds, in an amount not to exceed \$40,000,000.00 by the Health Facilities Development Corporation of Central Texas, Inc. to finance the development of a health facility for Franciscan Communities Villa de San Antonio. [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

Notes: Motioned: ROGER O. FLORES Seconded: RON H. SEGOVIA Notes:

| Voter | Group | Status | Yes | No | Abstain |
|--------------------|-------------|-------------|-----|----|---------|
| ROGER O. FLORES | DISTRICT 1 | | x | | |
| JOEL WILLIAMS | DISTRICT 2 | Not present | | | |
| RON H. SEGOVIA | DISTRICT 3 | | x | | |
| RICHARD PEREZ | DISTRICT 4 | | x | | |
| PATTI RADLE | DISTRICT 5 | | x | | |
| ENRIQUE M. BARRERA | DISTRICT 6 | | x | | |
| JULIAN CASTRO | DISTRICT 7 | Not present | | | |
| ART A. HALL | DISTRICT 8 | | x | | |
| CARROLL SCHUBERT | DISTRICT 9 | | x | | |
| CHIP HAASS | DISTRICT_10 | | x | | |
| MAYOR ED GARZA | MAYOR | Not present | | | |